

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

2. The petitioner received Vermont Health Access Program (VHAP) benefits through December 31, 2006. The petitioner did not pay her \$50 VHAP premium in December and her VHAP eligibility lapsed. Petitioner is seeking payment for her prescriptions including medications for depression, GERD, high blood pressure, and pain. Petitioner is also in

the process of reapplying for VHAP and reinstating her coverage. Once VHAP is restored, petitioner's medications will be covered.

3. The petitioner is three months in arrears on her rent. There was no evidence that the landlord has started eviction proceedings.

4. The petitioner was advised that her boyfriend could apply for Emergency Assistance as a parent of a minor child and could inquire into the rental arrearage program.¹

ORDER

The Department's decision is affirmed.

REASONS

The general assistance program operates to provide emergency assistance in certain situations. Applicants face stringent eligibility criteria and must meet either the criteria for a catastrophic or non-catastrophic situation. W.A.M. § 2600. Petitioner's application falls under the catastrophic situation rules and she must meet those guidelines. W.A.M. § 2602.

¹ The rental arrearage program is only available through the Emergency Assistance program, not the general assistance program.

Petitioner applied under the emergency medical need rules seeking coverage of prescription medication. The eligibility criteria specify:

If seeking assistance for a medical need, at the department's most recent eligibility determination they must not have been denied or lost government-sponsored health insurance that would have covered the current need because of either or both of the following reasons:

- They failed to pay a premium for the government sponsored health insurance, or
- They failed to comply with any administrative eligibility requirement necessary to be covered by the government-sponsored health insurance.

W.A.M. § 2602(4).

Unfortunately, petitioner lost her government-sponsored health insurance (VHAP) when she failed to pay her premium in December for January, 2007 coverage. Although the result is harsh, petitioner does not meet the eligibility criteria for a medical emergency need.

Because there was no evidence that the petitioner was facing a court-ordered eviction, petitioner's application for housing assistance was premature.² See W.A.M. § 2602.1 for the criteria for a catastrophic loss of housing.

² The Department denied housing assistance based on the petitioner being a single person without dependents and having no employment barriers. However, the request for housing assistance through the General Assistance program was premature so this issue need not be reached.

Accordingly, the Department's decision to deny General Assistance should be affirmed. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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